Mr. Hind moved that the rules be waived and Senate Bill No. 5 be read by its title the second time;

Which was agreed to.

So Senate Bill No. 5:

To be entitled an act to create and establish a State Board of Health,

Was read second time.

Mr. Hammond moved that Senate Bill No. 5 be engrossed and passed to its third reading;

Which was agreed to.

Senate Bill No. 5 was read the second time by title.

Mr. Schumacher moved to reconsider the vote by which Senate Bill No. 5:

To be entitled an act to create and establish a State Board of Health,

Was read second time and ordered to be engrossed;

Which was agreed to and the vote reconsidered.

Mr. Hardee moved that Senate Resolution No. 7 be spread on to-day's Journal;

Which was agreed to.

Senate Resolution No. 7:

WHEREAS, About 98,000 acres of land has already been conveyed by the Trustees of the Internal Improvement Fund to the Florida Coast Line Canal and Transportation Company, and over one million acres of land has been withdrawn from sale by said Trustees for said company;

And Whereas, It is the opinion of many people, who are competent judges in such matters, that no benefit has accrued to the said Internal Improvement Fund or the State of Florida;

And Whereas, The route of said canal, so far as transportation and navigation are concerned, has been more injured than improved by the work done on said route;

And Whereas, Great injury has been done to the improvement and development of the country adjacent to the route of said canal by the withholding of said land from purchase by actual settlers; therefore, be it

Resolved, That a committee of three be appointed, whose duty it shall be to ascertain the amount of land conveyed and the amount of land held in reserve for the Florida Coast Line Canal and Transportation Company, and to make a thorough

investigation of the work done on said course, and whether such work has improved navigation or injured the natural channels of the rivers, bays and lagoons through which the work claims to have been done, and that said committee report in full its findings under this resolution to the Senate as soon as practicable after the convening of the Legislature in April next.

Mr. Yancey moved that the Senate adjourn until 10 o'clock to morrow morning;

Which was agreed to.

The Senate stood so adjourned.

THURSDAY, FEBRUARY 14TH, 1889.

The Senate met pursuant to adjournment.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President, Messrs. Bailey of 22d District, Bailey of 16th District, Bielby, Britt, Bryant, Coulter, Crosby, Dismukes, Drake, Dunn, Hammond, Hardee, Hendry, Hind, Jenkins, Kirk, King, Parkhill, Pirrong, Randell, Rogers, Rosborough, Schumacher, Smith, Stapleton, Swearingen, Tompkins, Tuten, Wall, Wilkinson and Yancey—32.

A quorum present.

Prayer by the Chaplain.

The Journal was corrected and approved.

A message was received from the House of Representatives.

The following message from the House of Representatives was read:

House of Representatives, Tallahassee, Fla, Feb. 14, 1889.

HON. PATRICK HOUSTOUN,

President of the Senate.

SIR: I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by a two-thirds majority vote of all the members elected to the House of Representatives:

House Bill No. 7:

To be entitled an act to fix the pay of the members, officers and attaches of the Extra Session of the Legislature of 1889, And respectfully ask the concurrence of the Senate therein.

Very respectfully,
W. H. Reynolds,

Chief Clerk of the House of Representatives.

Mr. Bielby moved that-

House Bill No. 7:

To be entitled an act to fix the pay of the members and attaches of the extra session of the Legislature of 1889,

Be read first time by its title;

Which was agreed to.

House Bill No. 7:

To be entitled an act to fix the pay of the members and attaches of the Extra Session of the Legislature of 1889,

Was read first time by its title.

Mr. Rogers moved that all bills pertaining to expenses of this body be referred to Committee on Legislative Expenses; Which was agreed to.

So Senate Bill No. 13 and House Bill No. 7 were referred to Committee on Legislative Expenses.

Mr. Yancey moved that Senators Hardee and Dunn be excused from further attendance after to-day;

Which was agreed to.

Mr. Wall moved that the Senate adopt the amendments offered by the Committee of the Whole;

Which was agreed to, and the amendments were adopted.

Mr. Hammond moved that-

Senate Bill No. 5:

To be entitled an act to create and establish State Board of Health, be read with the amendments of the Committee of the Whole incorporated in it;

Which was agreed to.

Senate Bill No. 5:

To be entitled an act to create and establish a State Board of Health;

Was read with amendments of Senate Committee of the Whole incorporated.

Mr. Rogers moved that the bill be now considered by sections;

Which was agreed to.

Mr. Wall moved that each section be called by number by the Secretary;

Which was agreed to.

Section 1 was called.

Mr. Rogers moved the adoption of section 1;

Which was agreed to.

So section 1 was adopted.

Section 2 was called.

Mr. Hardee moved that section 2 be adopted;

Which was agreed to.

Section 2 was adopted.

Section 3 was called;

Mr. Dismukes offered the following amendment to section

Provided, That should any member of the said Board be, and remain absent from the State for ten days after any disease has been declared epidemic, the Governor may declare his office vacant and proceed to fill the same by appointment, and should the Health Officer be and remain absent from the State for five days after his attention has been called to the presence of any disease in the State, the Board of Health may declare the office vacant and proceed to fill the same by designation and employment of a suitable person to perform the duties thereof.

Mr. Hammond moved its adoption;

Which was agreed to.

Section 3, as amended, was adopted.

Section 4 was called.

Mr. Wall moved the adoption of section 4;

Which was agreed to.

Section 4 was adopted.

Section 5 was called.

Senator Rogers moved that section 5 be adopted;

Which was agreed to.

Section 5 was adopted.

Section 6 was called.

Mr. Bailey, of the 22d District, offered the following substitute for section 6:

Strike out section 6 and insert: "Any person or persons who shall falsely or maliciously disseminate or spread rumors or reports concerning the existence of any infectious or contagious disease, shall be guilty of a misdemeanor, and upon

conviction thereof shall be punished as provided by section 5 of this act."

Mr. Kirk moved its adoption.

Pending the consideration of which, Mr. Dismukes moved that the courtesies of the Senate Chamber be extended to Hon. S. R. Mallory;

Which was agreed to.

Upon the vote, the substitute for section 6 was lost.

Mr. Hammond moved to adopt section 6;

Which was agreed to.

Section 6 was adopted.

Section 7 was called.

Mr. Rogers moved that section 7 be adopted;

Which was agreed to.

Section 7 was adopted.

Section 8 was called.

Mr. Dunn moved that section 8 be adopted;

Which was agreed to.

Section 8 was adopted.

Section 9 was called.

On motion of Mr. Dunn section 9 was adopted.

Section 10 was called.

Mr. Dunn moved that section 10 be adopted;

Which was agreed to.

Section 10 was adopted.

Section 11 was called.

Mr. Hind offered the following amendment to section 11:

Strike out on 7th and 8th lines, section 11, the following: 'And do not amount to an absolute interruption of commerce with said foreign ports."

Messrs. Hind, Hammond and Yancey called for the yeas and nays upon the amendment.

Upon the adoption of the amendment, the vote was:

Yeas—Messrs. Bailey of 16th District, Bielby, Britt, Hind, Kirk, Pirrong, Schumacher and Stapleton—8.

Nays—Messrs. Bailey of 22d District, Bryant, Coulter, Crosby, Dismukes, Drake, Dunn, Hammond, Hardee, Hendry, Jenkins, King, Parkhill, Randell, Rogers, Rosborough, Smith, Swearingen, Tompkins, Tuten, Wall, Wilkinson and Yancey—23.

The amendment was lost.

Mr. Schumacher offered the following amendment:

Amendment to section 11: In line 16, after the word

"State," insert the following: "It shall be the duty of said Board."

Mr. Bielby moved to adopt the amendment;

Which was agreed to.

Mr. Dunn offered the following amendment:

To amend by adding after word "health," in line 18, "Provided further, Said Board of Health shall charge and receive from such vessels undergoing inspection or sanitation, as provided in this section, such fee or fees as said Board may prescribe."

Mr. Hind moved that the amendment be adopted;

Which was agreed to.

Mr. Kirk offered the following amendment:

Section 11, line 13; strike out: "an epidemic of."

Messrs. Kirk, Hind and Parkhill called for the yeas and nays upon the adoption of the amendment.

Upon the adoption of the amendment the vote was:

Yeas—Messrs. Bailey of Twenty-second District, Bailey of Sixteenth District, Bielby, Britt, Coulter, Crosby, Drake, Dismukes, Hardee, Hind, Jenkins, Kirk, Parkhill, Pirrong, Randell, Rogers, Rosborough, Schumacher, Stapleton and Swearingen—26.

Nays-Messrs. Bryant, Dunn, Hammond, Hendry, King, Smith, Tompkins, Tuten, Wall, Wilkinson and Yancey-11.

The amendment was adopted.

Mr. Dismukes offered the following amendment:

Strike out in section 11 in lines 13 and 14 the words "is prevailing" and insert the words "exists."

Pending which Senator Bailey of the 16th District asked that the courtesies of the Senate be extended to Major Fairbanks.

Mr. Parkhill requested that Messrs. B. R. Pitt, R. W. Hargis and E. G. Quina be invited within the bar of the Senate; Which was agreed to.

The amendment of Mr. Dismukes was agreed to.

Mr. Hardee offered the following amendment:

Add in line 8, after "foreign ports," the words "or ports of this State."

Line 14, after "ports," read "or ports of this State."

Line 15, after "ports," read "or ports of this State."

The amendment was withdrawn.

Mr. Parkhill offered the following amendment:

Section 11: After the word "inspection," in line 5, of section 11, insert the word "quarantine;"

Which was agreed to.

Mr. Bielby offered the following amendment:



Amend section 11, by striking out the word "iminent," in line 16:

Which was agreed to.

Mr. Randell moved the following amendment:

In line 17, after "vessel," insert "or their crew, passengers and cargo;"

Which was agreed to.

Mr. Schumaker offered the following substitute for section 11:

Substitute for section 11:

The Board of Health shall have plenary power, and it shall be its duty at all times to impose upon all railway and navigation companies, and upon all individuals who may own or operate steamships or other vessels plying between any of the West Indian, South American, or any other foreign ports and the ports of the State of Florida, such restrictions and sanitary and quarantine rules and regulations as, in its judgment, may be necessary to protect the health of the people of this State;

Which was not agreed to.

Mr. Dunn moved that section 11 be adopted as amended; Which was agreed to.

Section 11 was adopted as amended.

Mr. Hind moved that the Senate take a recess till 3 o'clock P. M.;

Which was agreed to.

So the Senate took a recess.

THREE O'CLOCK P. M.

The Senate resumed its session.

The President in the chair.

The roll was called and the following Senators answered to their names:

Mr. President, Messrs. Bailey 16th District, Bielby, Britt, Bryant, Coulter, Crosby, Dismukes, Drake, Hardee, Hendry, Hind, Jenkins, Kirk, King, Parkhill, Pirrong, Rogers, Rosborough, Schumacher, Smith, Stapleton, Swearingen, Tompkins, Wall, Wilkinson and Yancey—28.

A quorum present.

Mr. Hardee moved that Mr. Tuten be excused from attendance this afternoon on account of sickness;

Which was agreed to.

Mr. Stapleton, Chairman of Committee on Legislative Expenses, made the following report:

SENATE CHAMBER, TALLAHASSEE, Fla., Feb. 14, 1889.

HON. PATRICK HOUSTOUN,

President of the Senate:

Sin: Your Committee on Legislative Expenses, to whom was referred—

House Bill No. 7 and Senate Bill No. 13,

Beg leave to report that they have had under consideration the said bills, and they recommend that House Bill No. 7 do pass the Senate with the following amendment:

Strike out the word "passage," in last line, and insert in lieu

thereof the words "approval of the Governor."

Your committee report back Senate Bill No. 13, and recommend that it do not pass.

Very respectfully,

R. B. STAPLETON, Chairman Committee.

On motion of Mr. Yancey the Senate resolved itself into Executive Session.

The doors were closed.

The doors were opened at 3:15 and the Senate resumed its session.

Mr. Yancey, Chairman of the Committee on Appropriations, made the following report:

SENATE CHAMBER, TALLAHASSEE, FLA., Feb. 14, 1889.

HON. PATRICK HOUSTOUN,

President of the Senate;

SIR: Your Committee on Appropriations beg leave to report that they have considered and have framed a bill entitled an "act making appropriations to pay the expenses of the extra session of the Legislature, convened Feb. 5th, 1889," and also a bill entitled an "act making appropriation to defray the expenses of the State Board of Health, for the year 1889," and they beg to report the said bills to the Senate, with the recommendation that they do pass.

Very respectfully,

D. H. YANCEY,

Chairman Committee.

Mr. Yancey moved that Senate Bill No. 14, introduced by the above report, be read first time by its title;

Which was agreed to.

So the bill was read the first time by its title.

Mr. Yancey moved that Senate Bill No. 15, introduced by the above report, be read the first time by its title;

Which was agreed to,

And Senate Bill No. 15 was read first time by its title.

Mr. Wall moved to proceed with the consideration of—

Senate Bill No. 5:

To be entitled an act to create and establish a State Board of Health;

Which was agreed to.

And the consideration of Senate Bill No. 5 was resumed.

Section 12 was called.

Mr. Dismukes offered the following amendment:

Amend section 12 by inserting in line 18, between the words "made" and "by," the words "and a valuation placed upon the same," and add to the section the words "and the value of any private property that may be condemned and ordered to be destroyed by the Health Officer, shall be paid to the owner thereof, out of any funds provided and appropriated for the expenses or the State Board of Health, upon certificate of said Health Officer that said property was so destroyed, approved by the Board of Health, and indorsed by the President of said board.

Mr. Kirk moved that the amendment be adopted;

Which was agreed to.

Mr. Stapleton moved that section 12 be adopted as amended; Which was agreed to.

So section 12 as amended was adopted.

Section 13 was read.

Mr. Bailey of 16th District offered the following amendment:

To amend section 13, by striking out in line 12, after the word "time," "between the months of May and November;"

Mr. Kirk offered the following amendment to the amendment:

Section 13, line 12, insert "and" after "time;"

Which was accepted.

The amendment was agreed to.

Mr. Wall moved that section 13 as amended be adopted;

Which was agreed to.

So section 13 as amended was adopted.

Mr. Hind moved that Dr. Porter be invited within the bar of the Senate;

Which was agreed to.

Mr. Wall moved that R. A. Montsalvatge, of Key West, be invited within the bar of the Senate;

Which was agreed to. Section 14 was called.

Mr. Yancey moved that the Secretary read the section from the bill as amended

Which was agreed to.

Section 14 was read from the bill, as amended.

Mr. Parkhill moved to reconsider the vote by which section 13 was adopted;

Which was agreed to.

Mr. Bailey, of 16th District, offered the following amendment:

Amend section 13 by striking out in line 12, after the word "time and," "between the months of May" and November;

Which was agreed to.

Mr. Yancey moved that section 13 be adopted as amended; Which was agreed to.

Section 13, as amended, was adopted.

Mr. Yancey moved that section 14 be adopted;

Which was agreed to.

Section 14 as read was adopted.

Section 15 was read.

Mr. Dismukes moved that section 15 be adopted;

Which was agreed to.

Section 15 as read was adopted.

Section 16 was read.

Mr. Yancey moved to amend, in 6th line by changing the word "practical" to "practicable;"

Which was agreed to.

Mr. Wall moved that section 16 be adopted as amended; Which was agreed to.

Section 16 as amended was adopted.

Section 17 was read.

Mr. Dismukes offered the following amendment:

Amend section 17: Strike out the figures "\$10," in line 6, and insert the words "fifteen dollars."

Strike out all between the word "diem," in line 6, and the word "for," in line 7.

Insert in line 8, after the word "officer," the words "and five cents per mile for every mile traveled in the performance of such service."

Mr. Stapleton moved that the amendment be adopted; Which was agreed to.

Mr. Yancey moved that section 17 be adopted as amended; Which was agreed to.

Section 17, as amended, was adopted.

Section 18 was read.

Mr. Wall moved that section 18 be adopted;

Which was agreed to.

Section 18 was adopted.

Section 19 was read.

Mr. Hammond moved that section 19 be adopted as read; Which was agreed to.

Section 19 as read was adopted.

Section 20 was read.

Mr. Wall moved that section 20 be adopted;

Which was agreed to.

Section 20 was adopted.

Section 21 was read.

Mr. Rogers moved that section 21 be adopted;

Which was agreed to.

So section 21 was adopted.

Section 22 was read.

Mr. Yancey moved that the vote by which section 21 was adopted be reconsidered;

Which was agreed to.

Mr. Dunn offered the following amendment to section 21:
Amend section 21 by striking out all of lines 2 and 3, after the word "establish," in line 2.

Mr. Yancey moved that the amendment be adopted;

Which was agreed to.

Mr. Yancey moved that section 21 be adopted as amended; Which was agreed to.

So section 21, as amended, was adopted.

Section 22 was read.

Senator Stapleton offered the following amendment:

Strike out "passage" and add "approval by the Governor;

Which was agreed to.

Mr. Dunn moved that section 22 be adopted as amended; Which was agreed to.

So section 22 was adopted as amended.

Section 23 was read.

Mr. Hind moved that section 23 be adopted as read;

Which was agreed to.

So section 23 was adopted as read.

Mr. Hammond moved that-

Senate Bill No. 5:

To be entitled an act to create and establish a State Board of Health, with its amendments, be ordered to be engrossed and passed its third reading;

Which was agreed to.

Mr. Hind moved that the Senate adjourn;

Which was not agreed to.

Mr. Kirk moved that the Senate resolve itself into Executive Session;

Which was agreed to.

So the Senate went into executive session.

The doors were opened.

Mr. Parkhill asked that Mr. Randell be excused from further attendance;

Which was agreed to.

Mr. Rogers asked to be excused from further attendance;

Which was agreed to.

By permission Mr. Wall introduced

Senate Bill No. 16;

Which was referred to its appropriate committee.

By permission Mr. Yancey called up

House Bill No. 7:

To be entitled an act to fix the pay of the members, officers and attaches of the extra session of the Legislature of 1889.

Mr. Stapleton, by permission, withdrew the amendment in report of committee to House Bill No. 7.

House Bill No. 7:

To be entitled an act to fix the pay of the members, officers and attaches of the Extra Session of Legislature of 1889,

Was read second time by its title.

Mr. Hammond moved to reconsider the vote by which House Bill No. 7 was read by its title second time, and that it be read in full;

Which was agreed to.

House Bill No. 7 was read in full.

Mr. Yancey moved that the rules be waived and-

House Bill No. 7:

To be entitled an act to fix the pay of members, officers and attaches of the Extra Session of Legislature of 1889,

Be read third time and put upon its passage;

Which was agreed to.

House Bill No. 7, was read the third time.

Upon the passage of the bill the vote was:

Yeas-Messrs. Bailey of 16th district, Bielby, Britt, Bryant, Crosby, Dismukes, Drake, Dunn, Hammond, Hardee, Hendry, Hind, Jenkins, Kirk, King, Parkhill, Pirrong, Randell, Rogers, Rosborough, Schumacher, Smith, Stapleton, Wall, Wilkinson and Yancey-26.

Navs—Messrs. Swearingen and Tompkins—2.

So the bill passed title as stated.

Ordered that the same be certified to the House of Representatives.

By permission, Mr. Parkhill asked that the Senate resume consideration of

Senate Bill No. 3:

To be entitled an act to provide for the appointment of Boards of Health in and for certain counties in the State of Florida, and to define their powers;

Which was agreed to, and the consideration of Senate Bill No. 3 was resumed.

Section 11, of Senate Bill No. 3, was read.

Mr. Bailey, of the - District, moved that section 11, be read, be adopted;

Which was agreed to.

So section 11, as read, was adopted.

Section 12 was read.

Mr. Randell moved that section 12 be adopted;

Which was agreed to.

So section 12 was adopted.

Section 13 was read.

Mr. Parkhill offered the following amendment:

In line 5, strike out "any, vio-" and all of lines 6 and 7.

Mr. Parkhill moved that section 13, as amended, beadopted;

Which was agreed to.

So section 13 as amended was adopted.

Section 14 was read.

Mr. Wall offered the following amendment:

Amend section 14, by inserting in line 1, between the words "county" and "whether," the following: "from any port or place where the presence of any infectious or contagious disease is known or suspected;"

Which was adopted.

Mr. Parkhill moved that section 14 be adopted as amended; Which was agreed to.

So section 14 as amended was adopted.

Section 15 was read.

Mr. Parkhill moved that section 15 be adopted;

Which was agreed to.

So section 15 was adopted.

Section 16 was read.

Mr. Parkhill moved that section 16 be adopted;

Which was agreed to.

So section 16 was adopted.

Section 17 was read.

Mr. Parkhill moved that section 17 be adopted;

Which was agreed to.

So section 17 was adopted.

Section 18 was read.

Mr. Yancey offered the following amendment:

Amend section 18, by striking out all after the word "Health" in second line.

Mr. Parkhill moved the adoption of the amendment;

Which was agreed to.

Mr. Parkhill offered the following amendment:

To be added to section 18: But the State Board shall not have power to relax in any way any maritime quarantine which such county Board may establish;

Which was not agreed to.

So the amendment was lost.

Mr. Rogers moved that section 18, as amended, be adopted;

Which was agreed to.

So section 18, as amended, was adopted.

Section 19 was read.

Mr. Parkhill moved to reconsider the vote by which section 18 was adopted;

Which was agreed to and the vote reconsidered ..

Mr. Parkhill offered the following amendment to section 18: Strike out words "obedient to," and insert words "under

the general supervision and control of," in line one. Strike out word "any," in line two, and insert word "the;"

Which was agreed to.

Mr. Bielby moved that section 18, as amended, be adopted:

Which was agreed to.

So section 18 as amended was adopted.

Mr. Yancey offered the following amendment:

Amend section 19 by adding at the end of the section the following: "And provided further that the rules and regulations of said Boards of Health shall not be in conflict with the rules and regulations established by the State Board of Health, except whenever the State Board of Health, shall approve of and ratifies the rules of County Board of Health.

Mr. Yancey moved that the amendment be adopted;

Which was agreed to.

Mr. Randell moved that section 19 be adopted as amended;

Which was agreed to,

So section 19 as amended was adopted.

Section 20 was read.

Mr. Yancey offered the following amendment:

Amend section 20 by striking out all after the word "health," in 3d line.

Mr. Parkhill moved that the amendment be adopted;

Which was agreed to.

Mr. Wall moved that section 20, as amended, be adopted;

Which was agreed to.

So section 20, as amended, was adopted.

Section 21 was read.

Mr. Wall moved that section 21 be adopted;

Which was agreed to.

So section 21 was adopted.

On motion of Mr. Parkhill,

Senate Bill No. 3:

To be entitled an act to provide for the appointment of Boards of Health in and for certain counties of the State of Florida, and to define their powers,

Was ordered to be engrossed and passed to its third read-

ing.

Mr. Randell was excused from further attendance on account of sickness.

The President announced Messrs. Hardee, Bielby and Tuten as a committee under

Senate Resolution No. 7:

To investigate the Florida Coast Line Canal and Transportation Company.

Mr. Stapleton moved that the Senate adjourn until 10 o'clock to-morrow morning;

Which was agreed to.

The Senate stood so adjourned.

FRIDAY, February 15th, 1889.

The Senate met pursuant to adjournment.

The President in the Chair.

The roll was called, and the following Senators answered to their names:

Mr. President, Messrs. Bailey of 22d District, Bailey of 16th District, Bielby, Brett, Bryant, Coulter, Crosby, Dismukes, Drake, Hammond, Hendry, Jenkins, Kirk, King, Parkhill, Pirrong, Rosborough, Smith, Stapleton, Swearingen, Tompkins, Wall, Wilkinson and Yancey—25.

A quorum present.

Prayer by the Chaplain.

The Journal was corrected and approved.

INTRODUCTION OF RESOLUTIONS.

Mr. Bielby offered the following resolution:

Be it resolved, That this Senate desires to convey to Dr. Joseph Y. Porter the thanks and gratitude of the people of Florida for his untiring and skillful efforts in their behalf during the past year.

Be it further resolved, That the President of the Senate be requested to deliver an enrolled copy of these resolutions to Dr. Joseph Y. Porter.

Mr. Wall offered the following resolution:

Be it resolved. That the committee appointed under Senate Resolution No. 7 shall have power to send for persons and papers and to command the attendance of witnesses, whenever, in their judgment, it may be necessary;

Which were read.

Mr. Wall moved that the resolution giving power to Senate Investigating Committee be adopted;

Which was agreed to.

So the resolution was adopted.

Mr. Tompkins moved that the resolution relating to Dr. Porter be adopted by a rising vote;

Which was unanimously agreed to.

So the resolution was adopted.

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